

ONTARIO
SUPERIOR COURT OF JUSTICE

THE HONOURABLE)

MONDAY, THE 5th

JUSTICE L. LEITCH)

DAY OF DECEMBER, 2022

BETWEEN:

(Court Seal)



THE ESTATE OF RAYMOND DUCK, by his Estate Trustee, Beverly Millikin

Plaintiff

- and -

JANSSEN INC., JANSSEN PHARMACEUTICALS INC., JOHNSON & JOHNSON
INC., JOHNSON & JOHNSON

Defendants

Proceeding under the *Class Proceedings Act, 1992*

**ORDER
(APPOINTMENT OF REFEREE)**

THIS MOTION, made by the plaintiff for an Order appointing a Referee to hear any appeals from decisions of the Claims Administrator on claims filed pursuant to the Invokana National Settlement Agreement Compensation Protocol (“Compensation Protocol”) was heard this day at the Superior Court of Justice, London, Ontario.

ON READING the materials filed, including the Compensation Protocol, and on hearing the submissions of counsel for the Plaintiff;

1. **THIS COURT ORDERS** that for the purposes of this Order the definitions set out in the Compensation Protocol apply to and are incorporated into this Order.

2. **THIS COURT ORDERS** that Sarah Woods be and hereby is appointed as the Referee to hear and assess every appeal filed by a member of the Class from a decision of the Claims Administrator.
3. **THIS COURT ORDERS** that Sarah Woods may charge fees of \$790.00 per hour to hear appeals from decisions of the Claims Administrator and that such fees shall be paid from the Settlement Amount.
4. **THIS COURT ORDERS** that no person shall have any claim against Sarah Woods or McCarthy Tétrault LLP arising from or relating to the fulfillment of her responsibilities pursuant to the Compensation Protocol.
5. **THIS COURT ORDERS** that, as soon as practicable after Referee fees are paid, the Claims Administrator shall report to Class Counsel on the fees paid to the Referee, and Class Counsel shall report to the Court on the administration including the amounts paid to the Referee.
6. **THIS COURT ORDERS** that the time for filing and serving the motion record is abridged.

Date: December 5, 2022



THE HONOURABLE JUSTICE LEITCH

THE ESTATE OF RAYMOND DUCK,
by his Estate Trustee, Beverly Millikin
Plaintiff

JANSSEN INC., et al
and Defendants

Court File No. CV-18-00000570-CP

**ONTARIO
SUPERIOR COURT OF JUSTICE**

Proceeding commenced at London

Proceeding under the *Class Proceedings Act, 1992*

**ORDER
(APPOINTMENT OF REFEREE)**

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